



AIR QUALITY EFFECTS ANALYSIS
FOR
PERMIT TO CONSTRUCT
PTC19001

Applicant:

Ottertail Power Company
215 South Cascade Street
P.O. Box 496
Fergus Falls, MN 56538-0496

Source Location:

Coyote Station
Sec. 10, S ½ of S ½ of Sec. 3 and W ½ of Sec. 11, T143N, R88W
6240 – 13th Street SW
Beulah, Mercer County, North Dakota

Introduction:

Ottertail Power Company has requested authorization for the replacement of two baghouses at the facility which control the Northside distribution building (Emission Unit M3; Emission Point M3) and the Southside distribution building (Emission Unit M4; Emission Point M4). The baghouses will be replaced with wet dust extractive systems as outlined below.

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Northside distribution building*	M3	M3	Wet dust extractive system
Southside distribution building*	M4	M4	Wet dust extractive system

* Emission units at the facility are not authorized to be modified as part of this permit action.

Applicable Rules / Expected Compliance Status:

A. Chapter 33-15-02 – Ambient Air Quality Standards

The facility must comply with the Ambient Air Quality Standards (AAQS). Other requirements of this chapter include general prohibitions against harming health, causing damage to plants, animals, other property and visible degradation.

Per an October 6, 2014 Department memorandum (attached), modeling is not required to demonstrate compliance with the AAQS. Based on the level of emissions (approximately 3 lb/hr of particulate matter) and the relatively high stack heights (over 125 feet above ground level), the ground level emissions impact from the two stacks is expected to be minimal. Based on the minimal expected emissions impact, emissions from the two stacks are not expected to cause or contribute to an exceedance of the AAQS.

B. Chapter 33-15-03 – Restriction of Visible Air Contaminants

The facility must comply with an opacity limit of 20% except for one six-minute period per hour when 40% opacity is permissible.

Based on the use of a wet dust extractive system with an expected emission rate of 0.010 grains/dry standard cubic foot (gr/dscf) or less, emissions are expected to be well below 20% opacity.

Based on the above, compliance with Chapter 33-15-03 is expected.

C. Chapter 33-15-05 – Emissions of Particulate Matter Restricted

Emissions of particulate matter are restricted under this chapter by the following equation:

$$E = 55.0p^{0.11} - 40$$

Where E = allowable emission rate in lb/hr and p = process weight rate in tons/hour

$$\text{Allowable PM emissions} = 55.0(418.5 \text{ tons/hour})^{0.11} - 40 = \underline{66.84 \text{ lb/hr}}$$

Expected PM emissions from EUs M3 and M4 (combined) are approximately 2.96 lb/hr, which is well below the allowable PM emission rate of 66.84 lb/hr.

Based upon the above, compliance with Chapter 33-15-05 is expected.

D. Chapter 33-15-12 – Standards of Performance for New Stationary Sources

Chapter 33-15-12, Subpart A – General Provisions (40 CFR 60, Subpart A)

Subpart A establishes general requirements with which the owner/operator must comply.

It is expected that the owner/operator will comply with all requirements of Subpart A.

Chapter 33-15-12, Subpart Y – Standards of Performance for Coal Preparation and Processing Plants (40 CFR Subpart Y)

The particulate matter control equipment is being replaced; however, the emission units at the facility which are subject to Subpart Y are not being constructed, reconstructed or modified. Since the emission units (affected facilities under Subpart Y) are not being constructed, reconstructed or modified, the emission units remain subject to the requirements of 40 CFR 60.254(a), which establishes a 20% opacity standard for EUs M3 and M4.

As indicated above, the opacity of emissions from EPs M3 and M4 is expected to be well below the 20% opacity standard.

Based on the above, compliance with Chapter 33-15-12 is expected.

E. Chapter 33-15-14 – Designated Air Contaminant Sources, Permit to Construct, Minor Source Permit to Operate, Title V Permit to Operate

This chapter requires the facility to obtain a Permit to Construct and apply for a modification to the Title V Permit to Operate.

This chapter will be satisfied with issuance of a Permit to Construct. The owner/operator must apply for modification of the Title V permit for the facility within 12 months of startup of the equipment subject to the Permit to Construct.

Based on the above, compliance with Chapter 33-15-14 is expected.

F. Chapter 33-15-15 – Prevention of Significant Deterioration of Air Quality

The Coyote Station is classified as a “major stationary source” under this chapter (which incorporates the federal rules commonly referred to as the “PSD rules”). A Prevention of Significant Deterioration (PSD) review could potentially apply to the modification of the facility if the modification is classified as a “major modification” under Chapter 33-15-15. To be classified as a major modification, the emissions increase from the project must be greater than the PSD significant emission rates (SERs) established under the PSD rules.

The project emissions increases are calculated by the Department (calculations attached) as follows:

Emissions Increase (Actual-to-Potential Calculation)*			
Pollutant	Emissions Increase (tons/year)	PSD Significant Emission Rate (tons/year)	Subject to PSD Review?
PM	5.7	25	No
PM ₁₀	5.7	15	No
PM _{2.5}	5.7	10	No

* Emissions are calculated using an “actual-to-potential emissions” methodology, which is expected to overestimate the emissions increase (see discussion below).

As indicated in the attached calculations, the above emissions increase assumes that, in the future, the Coyote Station combusts coal at the maximum heat input capacity of Unit 1. This would require the Coyote Station to combust approximately 3.66 million tons of coal per year. As shown below, the actual amount of coal combusted at the Coyote Station over the last 10 years (from annual emission inventory reports, which can be accessed at deq.nd.gov/AQ/aqdata.aspx) is well below this amount.

Year	Amount of Coal Combusted at the Coyote Station (tons)
2008	2,487,376
2009	2,032,400
2010	2,445,773
2011	2,444,280
2012	1,824,595
2013	2,811,707
2014	2,248,483
2015	1,659,351
2016	2,011,974
2017	2,154,856

Since the current baghouses and the proposed wet gas extraction systems have very similar control efficiencies, actual emissions from the facility (on a pound of PM emissions per ton of coal processed basis) are expected to remain very similar. Therefore, a “current actual-to-projected actual” emissions comparison would be expected to result in a much smaller emissions increase than that shown in the above table.

Based on the above, it is concluded that the calculated emissions increase from the project is below the PSD SERs; therefore, the project is not classified as a “major modification” and is not subject to PSD review.

G. Chapter 33-15-16 – Restriction of Odorous Air Contaminants

The owner/operator shall not discharge into the ambient air any objectionable odorous air contaminant which is in excess of the limits established in NDAC 33-15-16.

Odorous air contaminant emissions are not significant from this source type; therefore, compliance with Chapter 33-15-16 is expected.

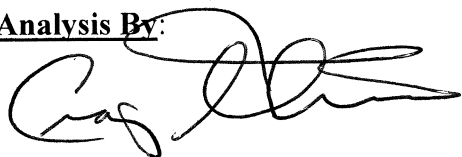
Conclusions and Recommendations:

The proposed control equipment replacement is expected to comply with the applicable federal and state rules. It is recommended that a Permit to Construct be issued for the project.

Given that there has been significant interest expressed by a party in the Coyote Station Title V Permit to Operate renewal, it is recommended that the proposed Permit to Construct be subject to a 30-day public comment period. A copy of the proposed Permit to Construct is attached.

Date of Analysis: January 24, 2019

Analysis By:

A handwritten signature in black ink, appearing to read 'Craig D. Thorstenson', written over the 'Analysis By:' label.

Craig D. Thorstenson
Environmental Engineer
Division of Air Quality

CDT:saj

Attachments: October 6, 2014 Department Memorandum
Calculations
Proposed Permit to Construct

October 6, 2014 Department Memorandum



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



MEMO TO : Interested Parties

FROM : Terry L. O'Clair, P.E. *T.B. for TLO*
Director
Division of Air Quality

RE : Criteria Pollutant Modeling Requirements
for a Permit to Construct

DATE : October 6, 2014

Projects Subject to PSD:

Under the Prevention of Significant Deterioration of Air Quality (PSD) rules, dispersion modeling for criteria pollutants is required prior to issuance of a Permit to Construct (PTC) if the permit is for either a new facility classified as a "major stationary source" or a modification to an existing major stationary source when the modification is classified as a "major modification" under the PSD rules (adopted into Chapter 33-15-15 of the North Dakota Air Pollution Control Rules). Modeling is required when emissions exceed the "PSD significant levels", which are defined as follows (only the significant levels for criteria pollutants are shown):

<u>Pollutant</u>	<u>Emissions</u>
Carbon Monoxide	100 tons/year
Nitrogen Oxides	40 tons/year
Sulfur Dioxide	40 tons/year
PM ₁₀	15 tons/year
Lead	0.6 tons/year
PM _{2.5} *	10 tons/year

* A source that emits 40 tons per year or more of sulfur dioxide and/or 40 tons per year or more of nitrogen oxides is significant for PM_{2.5} (40 CFR 52.21(b)(23)(i)).

Projects Not Subject to PSD:

For those projects which are not subject to the PSD rules, as a general rule, modeling will be required if the potential emissions from a new facility or the change in potential emissions from an existing facility exceed the following amounts:

Environmental Health
Section Chief's Office
701.328.5150

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5166

Division of
Water Quality
701.328.5210

Pollutant	All emissions vent from stacks with height ≥ 1.5 times nearby bldg. height	Some emissions vent from stacks with height < 1.5 times nearby bldg. height
Nitrogen Oxides	100 tons/year	40 tons/year
Sulfur Dioxide	100 tons/year	40 tons/year
PM ₁₀	40 tons/year	15 tons/year
PM _{2.5}	25 tons/year	10 tons/year

Modeling of carbon monoxide and/or lead emissions will generally only be required for sources required to conduct modeling of carbon monoxide and/or lead emissions under the PSD rules.

Additional Information (applicable to both PSD and non-PSD Projects):

Note that there are instances where modeling may be required at lower emissions than outlined above. These include cases when a facility will be located close to a Class I area or there are changes to an existing facility whose current emission rates are causing concentrations approaching either the Ambient Air Quality Standards or the PSD increment levels.

With respect to nearby sources of emissions, the impact of emissions from sources within 20 kilometers (~ 12 ½ miles) shall generally be included in the modeling analysis. The impact of emissions from sources greater than 20 kilometers and less than 50 kilometers (~ 31 miles) shall generally be included if potential emissions from the source of the pollutant being modeled exceed 100 tons/year.

Modeling submitted with a PTC application for a PSD project must address compliance with the Ambient Air Quality Standards as well as the PSD increments. Modeling submitted with a PTC application for a project not subject to the PSD rules must address compliance with the Ambient Air Quality Standards.

Modeling of PSD Class I increments will be required for PSD projects located within 250 kilometers of the nearest North Dakota Class I area, and for non-PSD projects (meeting potential emissions criteria above) located within 50 kilometers of the nearest Class I area. If the subject source significantly impacts a Class I area, a cumulative analysis including other increment-consuming sources must be conducted. The cumulative analysis must include all major sources, located within 250 kilometers and minor sources located within 50 km of the Class I area. The inventory will be provided by the Department. If an analysis is required for Class I increment consumption, a Class II increment consumption analysis shall also be submitted.

NDDH Class I Significant Impact Levels
 $\mu\text{g}/\text{m}^3$

Pollutant	Averaging Time		
	Annual	24-hour	3-hour
SO ₂	0.1	0.2	1.0
PM ₁₀	0.1	0.2	-
NO ₂	0.1	-	-
PM _{2.5}	0.06	0.07	-

Calculations

Calculation of PM/PM₁₀/PM_{2.5} Emissions (PTC19001)

PM emission factor (wet gas extractive system):

$$\text{PM emissions} = 1.69 \text{ lb/hr}^* + 1.27 \text{ lb/hr}^{**} = \underline{2.96 \text{ lb/hr}}$$

* PM emission rate from EU M3.

** PM emission rate from EU M4.

$$\text{Average coal heat content} = (6,910 \text{ Btu/lb}^* + 6,948 \text{ Btu/lb}^{**}) / 2 = \underline{6,929 \text{ Btu/lb}}$$

* Average heat content from 2016 AEIR.

** Average heat content from 2017 AEIR.

$$\text{Coal throughput (max. annual average)} = 5,800 \text{ MM Btu/hr (lb/6,929 Btu)} = \underline{418.5 \text{ tons/hour}}$$

$$\text{PM emission factor} = (2.96 \text{ lb/hr}) / (418.5 \text{ tons/hour}) = \underline{0.007 \text{ lb PM / ton coal processed}}$$

PM emissions (existing control at past actual throughput):

$$\text{Past actual average throughput} = (2,011,974 \text{ tons}^* + 2,154,856 \text{ tons}^{**}) / 2 = \underline{2,083,415 \text{ tons}}$$

* 2016 throughput from 2016 AEIR.

** 2017 throughput from 2017 AEIR.

$$\text{PM emissions} = (2,083,415 \text{ tons})(0.007 \text{ lb PM / ton coal processed})(1 \text{ ton/2,000 lb}) = \underline{7.3 \text{ tons/year}^*}$$

* The PM emissions increase shown differs from the values included in the 2016 and 2017 AEIRs for the Coyote Station. The assumed inlet grain loading (used to calculate PM emissions in the AEIRs) may overestimate PM emissions; therefore, it is assumed for purposes of this analysis that the baghouses and the wet dust extractive systems are equally effective (see discussion below).

PM emissions (new control equipment at maximum operation):

$$\text{PM emissions} = (2.96 \text{ lb/hr})(8,760 \text{ hr/yr})(1 \text{ ton/2,000 lb}) = \underline{13.0 \text{ tons/year}}$$

Note: maximum assumed annual throughput is (418.5 tons/hour)(8,760 hr/yr) = 3,666,060 tons

Emissions increase (past actual-to-future potential basis):

$$\text{PM emissions increase} = (13.0 \text{ tons/year}) - (7.3 \text{ tons/year}) = \underline{5.7 \text{ tons/year}}$$

$$\text{PM}_{10} \text{ emissions increase} = 5.7 \text{ tons/year}(100\%) = \underline{5.7 \text{ tons/year}}$$

* It is conservatively assumed that PM emissions consist of 100% PM₁₀.

$$\text{PM}_{2.5} \text{ emissions increase} = 5.7 \text{ tons/year}(100\%) = \underline{5.7 \text{ tons/year}}$$

* It is conservatively assumed that PM emissions consist of 100% PM_{2.5}.

The above emissions calculations are based on the assumption that the existing control equipment (baghouses for EUs M3 and M4) and the new control equipment (wet dust extractive systems for EUs M3 and M4) are equally effective based on the manufacturer's estimated control efficiencies of 99.6% for the baghouses and 99.7% for the wet dust extractive systems (see <https://www.benetechglobal.com/products/wet-dust-extraction/>). While the listed control efficiency is slightly higher for a wet dust extractive system, it will be assumed that the control devices are equally effective for the purposes of these calculations. This may result in a conservatively low emissions estimate for past actual emissions which will result in a higher calculated PM emissions increase for the project.

Usage of the "past actual-to-future potential" emissions calculation methodology is expected to result in a conservatively high calculation of the emissions increase from the control equipment replacement. An "actual-to-projected actual" emissions calculation would likely result in a much smaller calculated emissions increase (or a possible emissions decrease if the higher control efficiency of the wet scrubber is taken into consideration).

Proposed Permit to Construct



AIR POLLUTION CONTROL PERMIT TO CONSTRUCT

Pursuant to Chapter 23-25 of the North Dakota Century Code, and the Air Pollution Control Rules of the State of North Dakota (Article 33-15 of the North Dakota Administrative Code), and in reliance on statements and representations heretofore made by the owner designated below, a Permit to Construct is hereby issued authorizing such owner to construct and initially operate the source unit(s) at the location designated below. This Permit to Construct is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Health and to any conditions specified below:

I. General Information:

A. **Permit to Construct Number:** PTC19001

B. **Source:**

1. **Name:** Montana-Dakota Utilities Co.
North Western Energy
Northern Municipal Power Agency
(Minnkota Power Cooperative, Inc.)
Otter Tail Power Company
2. **Location:** Coyote Station
Sec. 10, S ½ of S ½ of Sec. 3 and W ½ of Sec. 11,
T143N, R88W
6240 – 13th Street SW
Beulah, Mercer County, North Dakota
3. **Source Type:** Electric Generating Unit; Coal
4. **Equipment Changes at the Facility:** This permit allows for the replacement of two baghouses at the facility which control the Northside distribution building (Emission Unit M3; Emission Point M3) and the Southside distribution building (Emission Unit M4; Emission Point M4). The baghouses will be replaced with wet dust extractive systems as outlined below.

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
Northside distribution building*	M3	M3	Wet dust extractive system
Southside distribution building*	M4	M4	Wet dust extractive system

* Emission units at the facility are not authorized to be modified as part of this permit action.

C. Owner/Operator (Permit Applicant):

1. Name: Ottertail Power Company
2. Address: 215 South Cascade Street
P.O. Box 496
Fergus Falls, MN 56538-0496
3. Application Date: September 23, 2018

II. Conditions: This Permit to Construct allows the construction and initial operation of the above-mentioned new or modified equipment at the source. The source may be operated under this Permit to Construct until a Permit to Operate is issued unless this permit is suspended or revoked. The source is subject to all applicable rules, regulations, and orders now or hereafter in effect of the North Dakota Department of Health and to the conditions specified below.

A. Emission Limits: Emission limits from the operation of the equipment identified in Item I.B of this Permit to Construct (hereafter referred to as "permit") are as follows.

Emission Unit Description	EU	EP	Pollutant / Parameter	Emission Limits
Northside distribution building	M3	M3	Particulate Matter	1.69 lb/hr
			Opacity	20%**
Southside distribution building	M4	M4	Particulate Matter	1.27 lb/hr
			Opacity	20%**

* See Condition II.B.

B. Opacity Limits Applicable to EU M3 and M4:

1. Twenty percent opacity (six-minute average), except that a maximum of forty percent opacity (six-minute average) is permissible for not more than one six-minute period per hour. This standard applies at all times. This standard does not apply to opacity caused by the presence of uncombined water vapor. This limit is established in NDAC 33-15-03-02.
2. Twenty percent opacity (six-minute average) or greater shall not be discharged into the atmosphere. This standard does not apply during startup, shutdown and malfunction and does not apply to opacity caused by uncombined water vapor. This limit is established in NDAC 33-15-12, Subpart Y.

C. New Source Performance Standards: The owner/operator shall comply with all applicable New Source Performance Standards, including the following:

1. NDAC 33-15-12, Subpart A: The owner/operator shall comply with all applicable requirements of NDAC 33-15-12, Subpart A.
2. NDAC 33-15-12, Subpart Y: The owner/operator shall comply with all applicable requirements of NDAC 33-15-12, Subpart Y.

D. Emissions Testing:

1. Initial Testing: Within 180 days after initial startup, the permittee shall conduct an emissions test at one of the emission units listed below using an independent testing firm, to determine the compliance status of the facility with respect to the emission limits specified in Condition II.A. Emissions testing shall be conducted for the pollutant(s) listed below in accordance with EPA Reference Methods listed in 40 CFR 60, Appendix A. Test methods other than those listed below may be used upon approval by the Department.

Emission Unit Description	EP	Pollutant/Parameter	Number of Runs	Length of Runs	EPA Ref. Method(s)
Northside distribution building	M3	Particulate Matter	3	60 minutes	1-5
Southside distribution building	M4	Particulate Matter	3	60 minutes	1-5

A signed copy of the test results shall be furnished to the Department within 60 days of the test date. The basis for this condition is NDAC 33-15-01-12 which is hereby incorporated into this permit by reference. To facilitate preparing for and conducting such tests, and to facilitate reporting the test results to the Department, the owner/operator shall follow the procedures and formats in the Department's Emission Testing Guideline.

2. Notification: The permittee shall notify the Department using the form in the Emission Testing Guideline, or its equivalent, at least 30 calendar days in advance of any tests of emissions of air contaminants required by the Department. If the permittee is unable to conduct the performance test on the scheduled date, the permittee shall notify the Department at least five days prior to the scheduled test date and coordinate a new test date with the Department.
3. Sampling Ports/Access: Sampling ports shall be provided downstream of all emission control devices and in a flue, conduit, duct, stack or chimney arranged to conduct emissions to the ambient air.

The ports shall be located to allow for reliable sampling and shall be adequate for test methods applicable to the facility. Safe sampling platforms and safe access to the platforms shall be provided. Plans and

specifications showing the size and location of the ports, platform and utilities shall be submitted to the Department for review and approval.

4. Other Testing:

- a) The Department may require the permittee to have tests conducted to determine the emission of air contaminants from any source, whenever the Department has reason to believe that an emission of a contaminant not addressed by the permit applicant is occurring, or the emission of a contaminant in excess of that allowed by this permit is occurring. The Department may specify testing methods to be used in accordance with good professional practice. The Department may observe the testing. All tests shall be conducted by reputable, qualified personnel. A signed copy of the test results shall be furnished to the Department within 60 days of the test date.

All tests shall be made and the results calculated in accordance with test procedures approved by the Department. All tests shall be made under the direction of persons qualified by training or experience in the field of air pollution control as approved by the Department.

- b) The Department may conduct tests of emissions of air contaminants from any source. Upon request of the Department, the permittee shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants.

- E. **Construction:** Construction of the above described facility shall be in accordance with information provided in the permit application as well as any plans, specifications and supporting data submitted to the Department. The Department shall be notified ten days in advance of any significant deviations from the specifications furnished. The issuance of this Permit to Construct may be suspended or revoked if the Department determines that a significant deviation from the plans and specifications furnished has been or is to be made.

Any violation of a condition issued as part of this permit to construct as well as any construction which proceeds in variance with any information submitted in the application, is regarded as a violation of construction authority and is subject to enforcement action.

- F. **Startup Notice:** A notification of the actual date of initial startup shall be submitted to the Department within 15 days after the date of initial startup.

- G. **Title V Permit to Operate:** Within one year after startup of the units covered by this Permit to Construct, the owner/operator shall submit a permit application to modify the existing Title V Permit to Operate for the facility.
- H. **Permit Invalidation:** This permit shall become invalid if construction is not commenced within eighteen months after issuance of such permit, if construction is discontinued for a period of eighteen months or more; or if construction is not completed within a reasonable time.
- I. **Fugitive Emissions:** The release of fugitive emissions shall comply with the applicable requirements in NDAC 33-15-17.
- J. **Source Operations:** Operations at the facility shall be in accordance with statements, representations, procedures and supporting data contained in the initial application, and any supplemental information or application(s) submitted thereafter. Any operations not listed in this permit are subject to all applicable North Dakota Air Pollution Control Rules.
- K. **Alterations, Modifications or Changes:** Any alteration, repairing, expansion, or change in the method of operation of the source which results in the emission of an additional type or greater amount of air contaminants or which results in an increase in the ambient concentration of any air contaminant, must be reviewed and approved by the Department prior to the start of such alteration, repairing, expansion or change in the method of operation.
- L. **Recordkeeping:** The owner/operator shall maintain any compliance monitoring records required by this permit or applicable requirements. The owner/operator shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sample, measurement, report or application. Support information may include all calibration and maintenance records and all original strip-chart recordings/computer printouts for continuous monitoring instrumentation, and copies of all reports required by the permit.
- M. **Nuisance or Danger:** This permit shall in no way authorize the maintenance of a nuisance or a danger to public health or safety.
- N. **Malfunction Notification:** The owner/operator shall notify the Department of any malfunction which can be expected to last longer than twenty-four hours and can cause the emission of air contaminants in violation of applicable rules and regulations.
- O. **Operation of Air Pollution Control Equipment:** The owner/operator shall maintain and operate all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.
- P. **Transfer of Permit to Construct:** The holder of a permit to construct may not transfer such permit without prior approval from the Department.

- Q. **Right of Entry:** Any duly authorized officer, employee or agent of the North Dakota Department of Health may enter and inspect any property, premise or place at which the source listed in Item I.B of this permit is located at any time for the purpose of ascertaining the state of compliance with the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.
- R. **Other Regulations:** The owner/operator of the source unit(s) described in Item I.B of this permit shall comply with all State and Federal environmental laws and rules. In addition, the owner/operator shall comply with all local burning, fire, zoning, and other applicable ordinances, codes, rules and regulations.
- S. **Permit Issuance:** This permit is issued in reliance upon the accuracy and completeness of the information set forth in the application. Notwithstanding the tentative nature of this information, the conditions of this permit herein become, upon the effective date of this permit, enforceable by the Department pursuant to any remedies it now has, or may in the future have, under the North Dakota Air Pollution Control Law, NDCC Chapter 23-25.
- T. **Odor Restrictions:** The owner/operator shall not discharge into the ambient air any objectionable odorous air contaminant which is in excess of the limits established in NDAC 33-15-16.
- U. **Sampling and Testing:** The Department may require the owner/operator to conduct tests to determine the emission rate of air contaminants from the source. The Department may observe the testing and may specify testing methods to be used. A signed copy of the test results shall be furnished to the Department within 60 days of the test date. The basis for this condition is NDAC 33-15-01-12 which is hereby incorporated into this permit by reference. To facilitate preparing for and conducting such tests, and to facilitate reporting the test results to the Department, the owner/operator shall follow the procedures and formats in the Department's Emission Testing Guideline.

FOR THE NORTH DAKOTA
DEPARTMENT OF HEALTH

Date _____

By _____
Terry L. O'Clair, P.E.
Director
Division of Air Quality